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10 **BEFORE THE**  
11 **BOARD OF REGISTERED NURSING**  
12 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 2008-232

14 **DAWN ERICA MILLS, aka**  
15 **DAWN ERICA GORDON**  
1569 Remembrance Drive  
Perris, California 92571

**A C C U S A T I O N**

16 Registered Nurse License No. 597385

17 Respondent.  
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19 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

20 **PARTIES**

21 1. Complainant brings this Accusation solely in her official capacity as the  
22 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer  
23 Affairs.

24 **Registered Nurse License**

25 2. On or about April 4, 2002, the Board issued Registered Nurse License  
26 Number 597385 to Dawn Erica Gordon, also known as Dawn Erica Mills ("Respondent"). The  
27 registered nurse license will expire on July 31, 2009, unless renewed.

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**STATUTORY PROVISIONS**

3. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

5. Code section 2761 states, in pertinent part:
- The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:
- (a) Unprofessional conduct, which includes, but is not limited to, the following:
    - (1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing functions.

**REGULATORY PROVISION**

6. California Code of Regulations, title 16, section 1443, states:

"As used in Section 2761 of the code, 'incompetence' means the lack of possession of or the failure to exercise that degree of learning, skill, care and experience ordinarily possessed and exercised by a competent registered nurse as described in Section 1443.5."

**COST RECOVERY**

7. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Incompetence)**

3 8. Respondent is subject to discipline under Code section 2761, subdivision  
4 (a)(1), on the grounds of unprofessional conduct, in that on or about July 13, 2004, while on duty  
5 as a registered nurse at Kaiser Hospital Riverside, Riverside, California, and caring for patient  
6 R.K., Respondent committed acts constituting incompetence, as defined in California Code of  
7 Regulations, title 16, section 1443. Patient R.K. complained to Respondent of pain in the calf  
8 region of his leg following a complete right knee arthroplasty. Respondent failed to  
9 appropriately assess and re-assess and document the location and severity of pain reported to her  
10 by the patient and family members.

11 **SECOND CAUSE FOR DISCIPLINE**

12 **(Unprofessional Conduct)**

13 9. Respondent is subject to discipline under Code section 2761, subdivision  
14 (a), on the grounds of unprofessional conduct, as more particularly set forth in paragraph 8,  
15 above.

16 **PRAYER**

17 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
18 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

19 1. Revoking or suspending Registered Nurse License Number 597385, issued  
20 to Dawn Erica Mills, also known as Dawn Erica Gordon;

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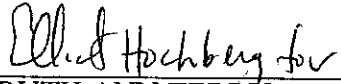
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1                   2.       Ordering Dawn Erica Mills, also known as Dawn Erica Gordon to pay the  
2 Board of Registered Nursing the reasonable costs of the investigation and enforcement of this  
3 case, pursuant to Code section 125.3; and,

4                   3.       Taking such other and further action as deemed necessary and proper.  
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6 DATED: 1/25/08  
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8   
9 RUTH ANN TERRY, M.P.H., R.N.  
10 Executive Officer  
11 Board of Registered Nursing  
12 Department of Consumer Affairs  
13 State of California  
14 Complainant  
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